



Control Number: 48785



Item Number: 124

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CONSOLIDATED SOAH DOCKET NO. 473-19-1265
CONSOLIDATED PUC DOCKET NO. 48785

2019 FEB -6 PM 2:19
PUBLIC UTILITY COMMISSION
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REBUTTAL TESTIMONY
OF RUSSELL J. MARUSAK, WITNESS FOR
ONCOR ELECTRIC DELIVERY COMPANY LLC & AEP TEXAS INC.

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	Exhibit RJM-R-3 Links J1/J7 Modification	
	Exhibit RJM-R-4 Links E1/F1 Modification	
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1 **REBUTTAL TESTIMONY OF RUSSELL J. MARUSAK**

2 **I. PURPOSE OF REBUTTAL TESTIMONY**

3 Q. ARE YOU THE SAME RUSSELL J. MARUSAK WHO PRESENTED
4 DIRECT TESTIMONY ON BEHALF OF ONCOR ELECTRIC DELIVERY
5 COMPANY LLC ("ONCOR") AND AEP TEXAS INC. ("AEP TEXAS")
6 (ONCOR AND AEP TEXAS TOGETHER, "APPLICANTS") IN THIS
7 DOCKET?

8 A. Yes.

9 Q. HAVE YOU REVIEWED THE DIRECT TESTIMONY FILED IN THIS
10 DOCKET BY INTERVENORS AND STAFF OF THE PUBLIC UTILITY
11 COMMISSION OF TEXAS ("COMMISSION STAFF")?

12 A. Yes.

13 Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?

14 A. The purpose of my rebuttal testimony is to respond to certain aspects of
15 the testimony filed by intervenors regarding the Environmental
16 Assessment and Alternative Routing Study ("Environmental Assessment")
17 that my team and I at Halff Associates Inc. ("Halff") developed in support
18 of the proposed Sand Lake – Solstice 345 kV Transmission Line Project
19 ("Proposed Transmission Line Project"). My rebuttal testimony does not
20 address the separate Bakersfield – Solstice 345 kV transmission line
21 project.

22 **II. ENVIRONMENTAL CONSTRAINTS**

23 Q. PAGE 16 OF THE DIRECT TESTIMONY FILED BY INTERVENOR COG
24 OPERATING LLC ("COG") DISCUSSES LINK K3 AND STATES THAT
25 THE ENVIRONMENTAL ASSESSMENT'S MAPS DO NOT INCLUDE
26 CERTAIN FEATURES SUCH AS FRAC WATER PITS, BATTERIES,
27 PIPELINES, AN ELECTRIC SUBSTATION, AND A SECONDARY
28 ELECTRIC GRID. WHAT PROCESS DID HALFF USE TO DEVELOP
29 THE MAPS INCLUDED IN THE ENVIRONMENTAL ASSESSMENT?

- 1 A. The Environmental Assessment created maps from base aerial imagery
2 generally dated around September 2017. In addition, Halff incorporated
3 information from its reconnaissance surveys of the study area and
4 publicly-available sources such as shapefiles from the Railroad
5 Commission of Texas showing pipeline and well locations. This level of
6 due diligence is reasonable and customary in the industry when
7 developing CCN applications.
- 8 Q. PLAINS MARKETING, L.P. AND PLAINS PIPELINE, L.P. (TOGETHER,
9 "PLAINS") REQUESTS THAT PIPELINE CROSSINGS BE AVOIDED (P.
10 8). WERE PIPELINE CROSSINGS NECESSARY IN DEVELOPING
11 ROUTES FOR THE PROPOSED TRANSMISSION LINE PROJECT?
- 12 A. Yes. Given the predominance of oil and gas activity and the sheer
13 number of pipelines in existence and under development in the study
14 area, it was infeasible for the Proposed Transmission Line Project to avoid
15 crossing pipelines. Indeed, Plains notes that its pipeline facilities would be
16 crossed by a number of the alternative links included for the Proposed
17 Transmission Line Project.
- 18 Q. PLAINS NOTES THAT LINK B1 CLOSELY PARALLELS ITS WOLFBONE
19 TO BARSTOW PIPELINE (P. 10) FOR A "SIGNIFICANT DISTANCE".
20 HOW DO YOU RESPOND?
- 21 A. According to Railroad Commission of Texas pipeline data and surface
22 indicators on aerial photography, the pipelines identified as Plains'
23 pipelines abut and parallel the west side of FM 516. The proposed Link
24 B1 alignment abuts and parallels the east side of FM 516. The length by
25 which Link B1 closely parallels Plains' pipelines on the other side of FM
26 516 is approximately one-half mile.

27 **III. PROPOSED MODIFICATIONS**

- 28 Q. INTERVENORS COG AND OCCIDENTAL PERMIAN LTD.; OXY
29 DELAWARE BASIN, LLC; OXY USA, INC.; OXY USA WTP LP;

1 HOUNDSTOOTH RESOURCES, LLC; AND OCCIDENTAL WEST TEXAS
2 OVERTHRUST, INC. (TOGETHER, "OXY") PROPOSE VARIOUS
3 MODIFICATIONS TO THE ALTERNATIVE ROUTES INCLUDED IN THE
4 CCN APPLICATION IN THEIR DIRECT TESTIMONY, AS
5 SUPPLEMENTED, AMENDED AND/OR WITHDRAWN THROUGH
6 THEIR CROSS-REBUTTAL TESTIMONY. WHAT DO APPLICANTS
7 UNDERSTAND THE CURRENTLY-PENDING REQUESTED
8 MODIFICATIONS TO BE?

9 A. Using the aerial imagery Halff utilized in developing the maps included in
10 the Environmental Assessment, my team and I developed Exhibits RJM-
11 R-1 through RJM-R-6 attached hereto which demonstrate what Applicants
12 understand to be the latest route modification proposals from COG and/or
13 Oxy. They are as follows:

- 14 • The Link C2 modification requested by Oxy in its cross-rebuttal
15 testimony is shown in Exhibit RJM-R-1.
- 16 • The Links F3/G4/G51/G52 modification requested by Oxy and COG
17 in their cross-rebuttal testimony is shown in Exhibit RJM-R-2.
- 18 • The Links J1/J7 modification requested by Oxy and COG in their
19 cross-rebuttal testimony is shown in Exhibit RJM-R-3.
- 20 • The Links E1/F1 modification requested by Oxy in its direct
21 testimony is shown in Exhibit RJM-R-4.
- 22 • The Link D31 modification requested by COG in its cross-rebuttal
23 testimony is shown in Exhibit RJM-R-5.
- 24 • The Link K11 modification requested by COG in its cross-rebuttal
25 testimony is shown in Exhibit RJM-R-6.

26 Each of these exhibits shows Oxy and/or COG's originally-
27 proposed modifications as stated in their direct testimonies. The currently-
28 proposed route modification requests are shown in the blue line labeled
29 "Proposed Consent Alternative". It is Applicants' understanding that COG

1 and/or Oxy will seek written consent from landowners directly affected by
2 these proposed modifications.

3 It is my understanding that Oxy's requested modification to Link D1,
4 as stated in Mr. Albert Mendoza's direct testimony, has been withdrawn as
5 explained in Mr. Mendoza's cross-rebuttal testimony.

6 Q. WHAT QUANTIFIABLE DATA FOR ROUTE 320, SHOWN IN TABLE 7-2
7 OF THE ENVIRONMENTAL ASSESSMENT, WOULD CHANGE AS A
8 RESULT OF THESE CURRENTLY-PROPOSED MODIFICATIONS?

9 A. I have developed Exhibit RJM-R-7 attached hereto which shows updated
10 data for that route if the collective proposed modifications to the links
11 comprising that route, as requested by Oxy and COG, were adopted.

12 Q. WHAT OTHER DATA DOES EXHIBIT RJM-R-7 CONTAIN?

13 A. Exhibit RJM-R-7 also shows such quantifiable data for modified Routes
14 41, 324, and 325, with COG's and Oxy's proposed modifications, which
15 are the other modified routes that appear to be under primary
16 consideration based on the filed testimony of intervenors, Staff, and
17 TPWD's comments.

18 **IV. CONCLUSION**

19 Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?

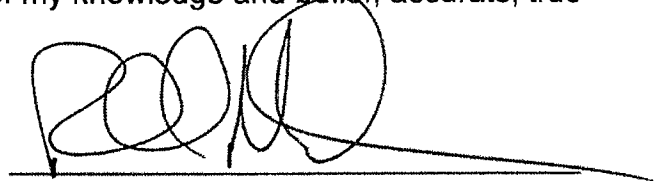
20 A. Yes, it does.

AFFIDAVIT

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

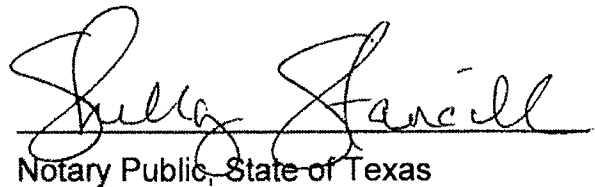
BEFORE ME, the undersigned authority, on this day personally appeared Russell J. Marusak who, having been placed under oath by me, did depose as follows:

My name is Russell J. Marusak. I am of legal age and a resident of the State of Texas. The foregoing testimony offered by me is true and correct, and the opinions stated therein are, to the best of my knowledge and belief, accurate, true and correct.



Russell J. Marusak

SUBSCRIBED AND SWORN TO BEFORE ME on this 3rd day of February, 2019.


Notary Public, State of Texas

My Commission Expires

3-13-2019



SOAH Docket No. 473-19-1265
PUC Docket No. 48785

Marusak – Rebuttal
Oncor & AEP Texas
Sand Lake – Solstice CCN

507

438

IH 20

IH 20

UNCONTACTED
LANDOWNER








422

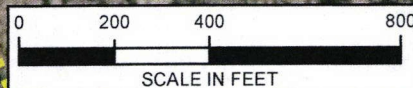
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G2

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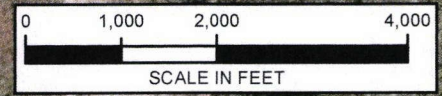
LEGEND

-  NODE BETWEEN ADJACENT ROUTE LINKS
-  ORIGINAL FILED LINKS
-  PROPOSED CONSENT ALTERNATIVE
-  PROPOSED INTERVENOR ALTERNATIVE
-  TRACT BOUNDARY
-  OTHER RRC WELL DATA
-  RRC WELL DATA: CANCELLED LOCATION, DRY WELL, PLUGGED HOLE











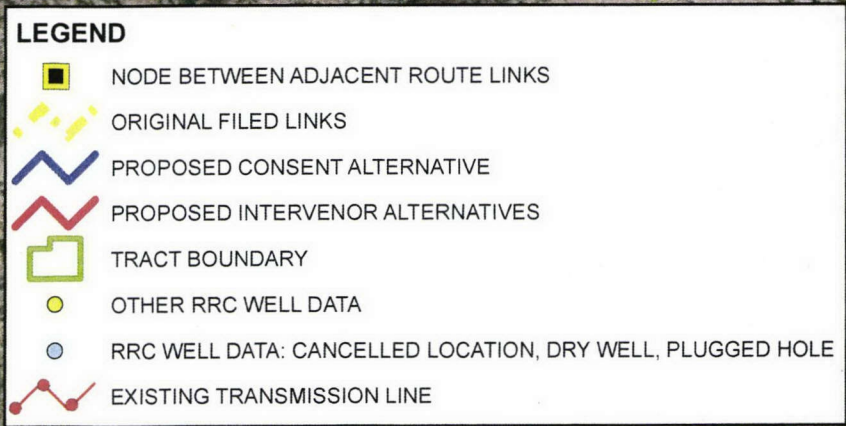
UNCONTACTED
LANDOWNERS

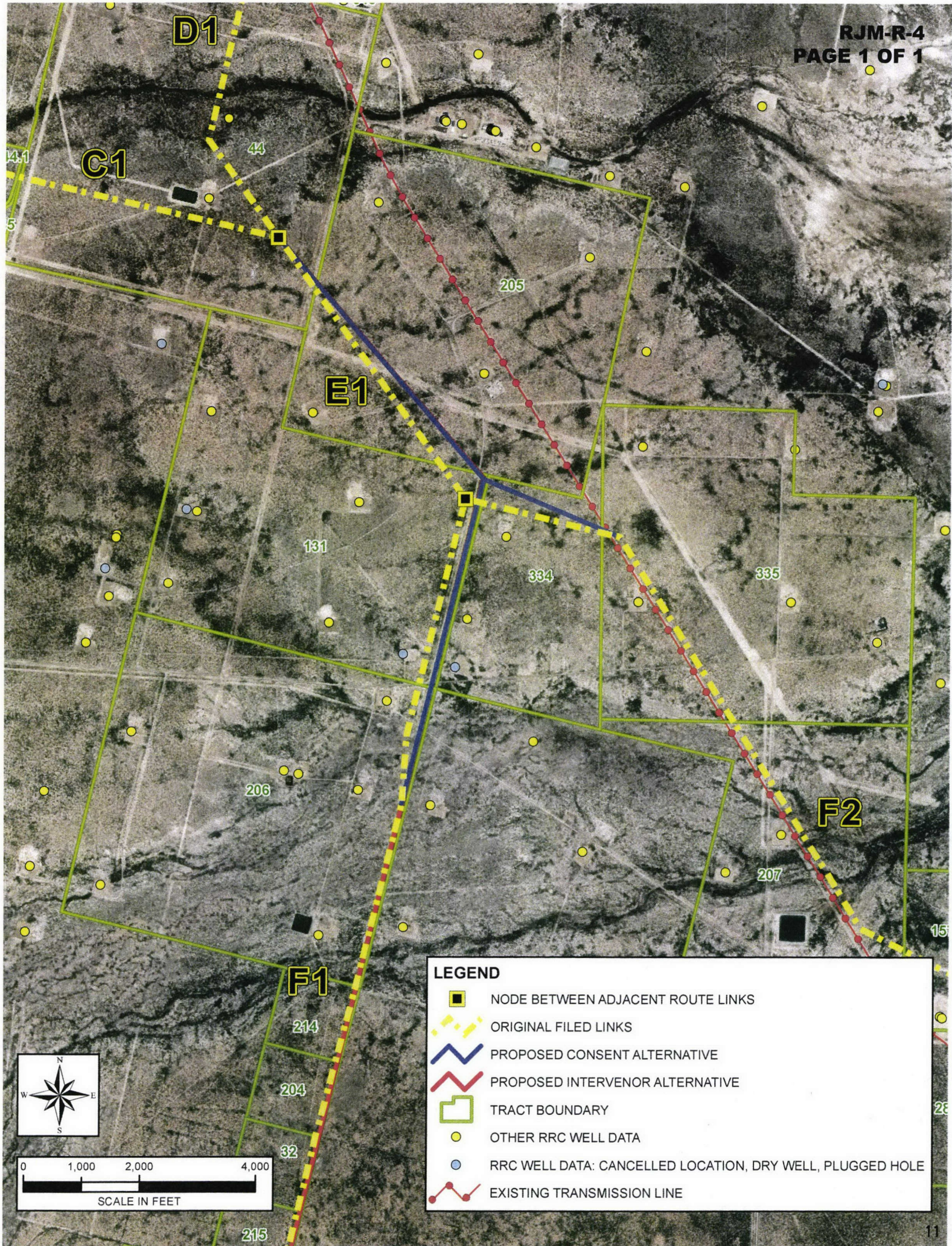
F3



LEGEND

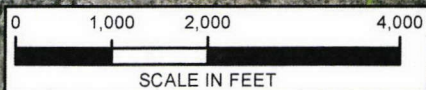
-  NODE BETWEEN ADJACENT ROUTE LINKS
-  ORIGINAL FILED LINKS
-  PROPOSED CONSENT ALTERNATIVE
-  OXY PROPOSED TESTIMONY ALTERNATIVE
-  COG PROPOSED TESTIMONY ALTERNATIVE
-  TRACT BOUNDARY
-  OTHER RRC WELL DATA
-  RRC WELL DATA: CANCELLED LOCATION, DRY WELL, PLUGGED HOLE

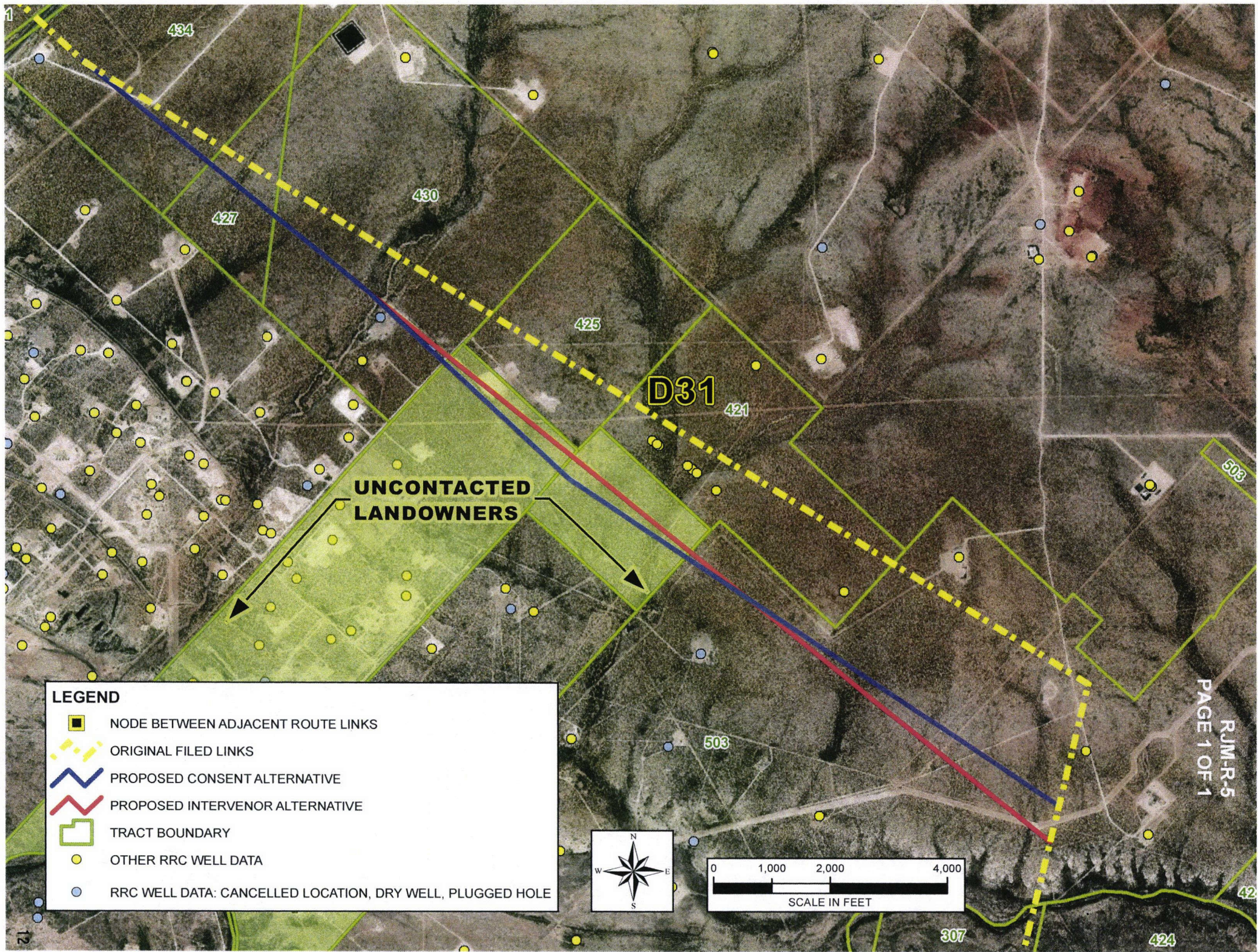


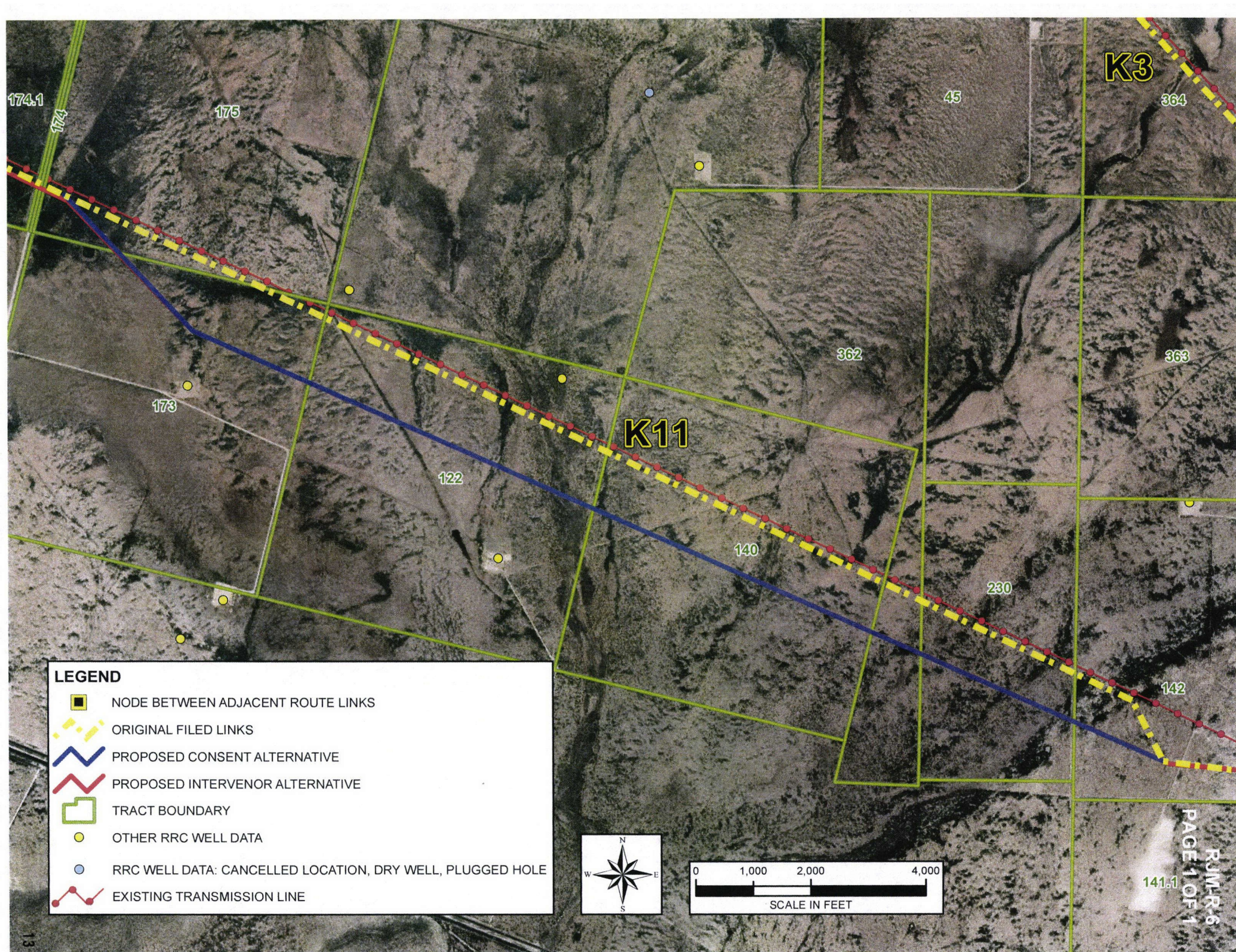


LEGEND









- NODE BETWEEN ADJACENT ROUTE LINKS
- ORIGINAL FILED LINKS
- PROPOSED CONSENT ALTERNATIVE
- PROPOSED INTERVENOR ALTERNATIVE
- TRACT BOUNDARY
- OTHER RRC WELL DATA
- RRC WELL DATA: CANCELLED LOCATION, DRY WELL, PLUGGED HOLE
- EXISTING TRANSMISSION LINE

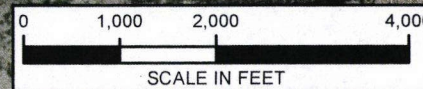






LEGEND

-  NODE BETWEEN ADJACENT ROUTE LINKS
-  ORIGINAL FILED LINKS
-  PROPOSED CONSENT ALTERNATIVE
-  PROPOSED INTERVENOR ALTERNATIVE
-  TRACT BOUNDARY
-  OTHER RRC WELL DATA
-  RRC WELL DATA: CANCELLED LOCATION, DRY WELL, PLUGGED HOLE
-  EXISTING TRANSMISSION LINE



**Table 7-2 Environmental Data for Alternative Route Evaluation
Sand Lake--Solstice 345 kV Transmission Line Project**

MODIFIED ALTERNATIVE ROUTE NUMBER	41	320	324	325	328
Length of alternative route	250,865	244,717	257,383	284,873	267,218
Length of route parallel to existing electric transmission lines	0	0	54,446	37,876	59,872
Length of route parallel to railroads	0	0	0	0	0
Length of route parallel to existing public roads/highways	16,017	15,823	15,014	10,467	10,467
Length of route parallel to pipelines*	5,066	5,066	9,429	747	747
Length of route parallel to apparent property boundaries	96,685	96,491	51,069	84,203	58,781
Total length of route parallel to existing compatible rights-of-way	106,110	105,916	114,132	122,544	119,117
Number of habitable structures within 500 feet of the route centerline ¹	3	38	38	37	37
Number of parks or recreational areas within 1,000 feet of the route centerline ²	0	0	0	0	0
Length of the route across parks/recreational areas	0	0	0	0	0
Length of route through commercial/industrial areas	11,265	10,779	11,602	9,840	9,986
Length of the route across cropland/hay meadow	1,233	1,233	1,233	1,233	1,233
Length across rangeland pasture	220,829	214,695	229,469	237,890	226,641
Length of route across agricultural cropland with mobile irrigation systems	0	0	0	0	0
Length of route across upland woodlands	0	0	0	0	0
Length of route across riparian areas	14,822	15,356	13,040	31,542	27,004
Length of route across potential wetlands	2,632	2,574	1,959	4,152	2,261
Number of stream crossings by the route	12	14	13	18	22
Length of route parallel to streams (within 100 feet)	201	201	0	2,665	3,450
Length across lakes or ponds (open waters)	83	80	80	215	92
Number of known rare/unique plant locations within the right-of-way	1	1	1	4	3
Length of route through known habitat of endangered or threatened species	63	63	63	10,532	10,532
Number of recorded cultural resource sites crossed by the route	0	0	0	1	2
Number of recorded cultural resources within 1,000 feet of the route centerline	2	0	0	1	2
Length of route across areas of high archaeological/historical site potential	64,852	65,118	64,003	70,258	74,346
Number of private airstrips within 10,000 feet of the route centerline	0	0	0	0	0
Number of FAA-registered airports with at least one runway more than 3,200 feet in length within 20,000 feet of route centerline	0	0	0	1	1
Number of FAA-registered airports with no runway greater than 3,200 feet in length within 10,000 feet of the route centerline	0	0	0	0	0
Number of heliports located within 5,000 feet of the route centerline	0	0	0	0	0
Number of commercial AM radio transmitters located within 10,000 feet of the route centerline	0	0	0	0	0
Number of FM, microwave and other electronic installations within 2,000 feet of the route centerline	0	0	2	1	1
Number of U.S. or State Highway crossings by the route	3	3	3	3	3
Number of Farm to Market (F.M.), county roads, or other street crossings by the route	12	12	9	9	8
Estimated length of right-of-way within foreground visual zone of U.S. and State Highways	23,895	23,895	23,895	33,807	27,455
Estimated length of right-of-way within foreground visual zone of park/recreational areas	0	0	0	0	0

Note: All length measurements in feet. All linear measurements were obtained from the National Agricultural Imagery Program digital ortho imagery flown in 2016-2017 with the exception of areas of high archaeological/historical site potential which were measured from USGS Topographic Quadrangles. The aerial photograph has a provided accuracy of +/- 30 feet. ¹Structures normally inhabited by humans on a daily or regular basis. Habitable structures include but are not limited to a single-family and multi-family dwellings and related structures, mobile homes, apartment buildings, commercial structures, industrial structures, churches, hospitals, nursing homes, and schools. ²Defined as parks and recreational areas owned by a governmental body or an organized group, club, or church.

* - Not included in length of route parallel to existing compatible rights-of-way.